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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

Amanda Ruth Palomino, an individual,

Plaintiff,

v.

Donald Ray Morris, an individual; United
States Department of Agriculture; Does I
through XV; and Roe Corporations I through
X, inclusive,

Defendant.

Case No. 2:20-cv-01818-GMN-EJY

Stipulation and Order

Having recently reached a resolution in this matter, Plaintiff Amanda Ruth Palomino and Defendant United States Department of Agriculture (“USDA”) stipulate to, and request that the Court issue, an order staying discovery, including compliance with Fed. R. Civ. P. 26(f) and LR 26-1, and otherwise approving the terms herein.¹

“Every court has the inherent power to stay causes on its docket with a view to avoiding duplicative litigation, inconsistent results, and waste of time and effort by itself,

¹ Defendant Donald Ray Morris (“Morris”), a former employee of the USDA, has not entered an appearance in this action. *See* Joint Status Report, ECF No. 10 (noting that while Plaintiff served the state court complaint and a state court summons on Morris on August 3, 2020, Plaintiff has not thus far served copies of such process, particularly a summons directed to Morris, on the United States, *see* Nev. R. Civ. P. 4.3(a)(5); Fed. R. Civ. P. 4(i)(1), (2), (3); Fed. R. Civ. P. 12(a)(2), (3)).

the litigants and counsel.” *Stern v. United States*, 563 F. Supp. 484, 489 (D. Nev. 1983) (citations omitted).

Under the circumstances, and with an estimate that that it may take approximately 45 days to implement the terms of the parties’ resolution, now therefore:

1. Discovery, including compliance with Fed. R. Civ. P. 26(f) and LR 26-1, is stayed pending further order of this Court;
2. Within 60 days of entry of an order approving this stipulation, the parties shall file either (i) a stipulation to dismiss this action with prejudice, each party to bear its own attorneys’ fees and costs, or, (ii) if such a stipulation cannot be filed, a joint status report concerning the matter; and
3. The USDA’s Motion to Dismiss, ECF No. 5, is withdrawn without prejudice, and the Court need not take action on such motion, as had been noted in the parties’ earlier Joint Status Report, ECF No. 10.

Respectfully submitted this 3rd day of November 2020.

GINA CORENA & ASSOCIATES

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/s/ Betsy C. Jefferis

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IT IS SO ORDERED:


UNITED STATES MAGISTRATE JUDGE

DATED: November 4, 2020